

THE CONCEPT OF MATERIAL OBJECT OF THE CRIME IN THE ROMANIAN CRIMINAL DOCTRINE

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ABSTRACT: *The notion of material object of the crime belongs in the first place to the doctrine and in the second place to the legislator since the adoption and entry into force of the criminal legal procedures have been preceded by many controversies and debates in theory, which led to the crystallization of this concept in the criminal law.*

It has now reached an "artificial fragmentation" due to the fact that there were created whole series of categories regarding the object of the crime, such as general object, (general) social object, generic social object, (common) group object, specific object, direct object (immediate), legal object, material object, etc.,. There are endless debates on these categories, resulting in a real "war of words", facts otherwise ignored by the legal procedure.

In the present context, computerization of the society and the technical revolution led to the evolution of the human intellect product as entities not perceptible to the senses, but acknowledged by the reason such as: copyrights and other related rights, software, information etc. There are other intangible assets as well, relevant within the material domain that can establish the object of aggression through an act perceived by the criminal law: various forms of energy, phone calls, etc.

Therefore, aiming to meet the requirements within the criminal matter and the needs from the objective reality, the most appropriate concept would be the object of action/inaction, depending on the type of the crime, either committed or omitted.

KEYWORDS: *material object of crime, material goods, intangible goods, crime, object of action /inaction, legal object of crime, direct object of crime, immediate object of crime, terms of crime.*

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